



PATENT
Customer No. 22,852
Attorney Docket No. 03806.0590-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Swen HÖLDER et al.

Application No.: 10/715,556

Filed: November 19, 2003

For: NOVEL PYRIDAZINONE DERIVATIVES AS
PHARMACEUTICALS AND
PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

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) Group Art Unit: 1624
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) Examiner: Kahsay HABTE
)
) Confirmation No.: 5066
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)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patents are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. **JP- 9 216883** - An abstract of the disclosure of this document can be found in the English language Patent Abstract of Japan submitted herewith. An English translation of this document is also submitted herewith.

2. **WO 02/22587 A1** - This document is believed to be related to EP Patent No. 1 319 659, which is submitted herewith. An English language abstract of this foreign language document can be found on the title page of this document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 13, 2006

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/715,556
Filing Date	November 19, 2003
First Named Inventor	Sven HÖLDER
Art Unit	1624
Examiner Name	Kahsay HABTE
Attorney Docket Number	03806.0590-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		4,353,905	10-12-1982	Sircar et al.	
		4,734,415	03-29-1988	Sircar et al.	
		5,418,233	05-23-1995	Linz et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 075 436 B1	03-30-1983	Warner-Lambert Company		English
		EP 1 061 077 A1	12-20-2000	Kowa Co., Ltd.		English
		EP 1 319 659 A1	6-18-2003	Eisai Co., Ltd.		English
		JP 9-216883	08-19-1997	Fujisawa Pharmaceutical Co. Ltd.		Yes
		WO 02/22587 A1	03-21-2002	Eisai Co., Ltd.		Abstract
		WO 02/50065 A2	06-27-2002	Vertex Pharmaceuticals Inc.		English
		WO 03/035065 A1	01-01-2003	Aventis Pharmaceuticals		English
		WO 03/059891 A1	07-24-2003	Pharmacia Corporation		English

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		S. Nikoulina et al., "Inhibition of Glycogen Synthase Kinase 3 Improves Insulin Action and Glucose Metabolism in Human Skeletal Muscle," <i>Diabetes</i> , Vo. 51, pp. 2190-2198, July 2002	
		E. Henriksen et al., "Modulation of Muscle Insulin Resistance by Selective Inhibition of GSK-3 in Zucker Diabetic Fatty Rats," <i>Am. J. Physiol. Endocrinol. Metab.</i> , vol. 284, pp. 892-900, 2003	
		An English translation of JP 9-216883	
		An English language Patent Abstract of Japan of JP 9-216883	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.